

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

LAND ACQUISITION - West Godavari District - Yerrakalva Reservoir Project - Borrapalem Village, T.Narsapuram Mandal -- Land acquired under Award No:26/85, Dated 28.5.85 - Enhancement of Land compensation by the Hon'ble High Court of Andhra Pradesh in A.S.No.2030/2002, dated 2.4.2009 filed against O.P.No.6/88, dated 1.9.1999- Decretal charges of Rs.1,52,796/- - Sanction - Orders - Issued.

IRRIGATION & CAD (PW.LA.I) DEPARTMENT

G.O.Rt.No: 217

Dated:19.04.2010

Read the following:

- 1.From the Dist Collector, West Godavari, Eluru,
Roc No:G3/11487/2008, Dated:23.12.2008.
2. From the Chief Commissioner of Land Administration,
A.P, Hyderabad Lr.No.G1/1113/2009,dt.24.11.2009.

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ORDER:-

In the reference read above, it has been reported to Government that An extent of Ac.4.22 cts of land in survey No.360 situated at Borrapalem Village, T.Narsapuram (M), West Godavari District was acquired under Award No. 26/85, dt.28.5.85 by the then Land Acquisition Officer & Spl Tahsildar (LA),Unit No.IV Jagareddygudem Mandal, West Godavari District for formation of Yerrakalva Reservoir Project, duly fixing the land value @ Rs.3,000/- per acre. Aggrieved landowners filed the claim in lower Court under Sec.18 of the Land Acquisition Act. Court of the Principal Civil Judge, Eluru have enhanced the Market Value from Rs.3,000/- to Rs.19,800/- per acre in O.P No.60/1990, dated.12.7.2000.

2. Aggrieved by the Lower Court Orders, the Land Acquisition Officer preferred an Appeal in AS.No.2030/2002. The Hon'ble High Court has confirmed the Lower Court order in AS.No.2030/2002,dt.24.9.2008.

3. The District Collector, West Godavari district in the reference cited has requested the Government to sanction and release an amount of Rs.1, 52,796/- in respect of O.P.No.60/90, as per the orders of Lower Court in OP.No.60/90, dated.12.7.2000 and the Chief Commissioner of Land Administration, A.P., Hyderabad while forwarding the proposal of the District Collector, West Godavari, Eluru, he has recommended for sanction and release of amount.

4. Government after careful examination hereby accord sanction for an amount of **Rs.1,52,796/-** (Rupees One lakh Fifty Two thousand Seven hundred and Ninety Six only) in respect of O.P.No. 60/90 towards entire /full decretal charges for depositing in the civil court to comply with the orders of High Court in A.S. No: 2030/2002,dt.24.9.2008, as well as Lower Court in this case; subject to verification whether the reference under section 18 of the LA Act is made to the lower court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Government/Chief Commissioner of Land Administration, immediate action should be taken to recover the loss sustained by the Govt. from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer (Medium) as to the extent of land acquired. Further, the Collector should verify the calculations made by the LAO/RDO once again thoroughly with reference to the decree and instructions issued by the Government/Chief Commissioner of Land Administration on the subject from time to time, duly deducting the Income Tax, as per rules, before depositing the amount in Lower Court.

(P.T.O)

5. The expenditure sanctioned above shall be debited to the Head of Account under "4701 - Capital Outlay on major & Medium Irrigation (03) Medium Irrigation - Commercial MH - 146 Yerrakalva Reservoir - Schemes included in the Plan - GH.11 - Normal State Plan - SH (26) D&A Works - 530/532 Lands (Charged). In case, the available budget provisions is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

6. The Engineer - in- Chief (Medium), Hyderabad shall take necessary steps for release of LOC immediately.

7. This order issues with the concurrence of Finance (Expr. PW-I) Department vide their U.O. No:8083/293/Exp.pw-I/10, Dated:30.3.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Special Chief Secretary to Government & Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad.

The Collector, West Godavari District, Eluru

The Engineer - in- Chief (Medium), Hyderabad,.

Copy to:

The Accountant General, Andhra Pradesh, Hyderabad.

The Pay & Accounts Officer, West Godavari Eluru.

The Superintending Engineer, Irrigation Circle, Eluru.

The District Treasury Officer, West Godavari Eluru.

The Revenue Divisional Officer, Jangareddigudem, West Godavari District.

The Finance (Expr.PW-I) Department

File C.No.31642/L.A.I(A1)/2009

SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER